

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division

GAVIN GRIMM,

Plaintiff,

v.

Case No. 4:15-cv-00054

GLOUCESTER COUNTY SCHOOL  
BOARD,

Defendant.

**DEFENDANT'S SUPPLEMENTAL ANSWER TO  
PLAINTIFF'S INTERROGATORY NO. 1**

Comes now the defendant, Gloucester County School Board ("School Board"), and for its Supplemental Answer to Plaintiff's Interrogatory, states as follows:

**GENERAL OBJECTIONS**

A. Defendant objects to the Instructions contained in Plaintiff's interrogatories to the extent they alter, amend, or exceed the scope of the Federal Rules of Civil Procedure.

B. The information supplied in these answers is not based solely on the knowledge of the executing party but includes knowledge of the party, its agents, representatives, and attorneys, unless privileged. Such knowledge may or may not be known to the Defendant other than as provided.

C. The word usage and sentence structure may be that of the attorney and staff assisting in the preparation of these answers and thus do not necessarily purport to be the precise language of the executing party.

EXHIBIT

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D. These answers will be supplemented in accordance with the Rule 33 of the Federal Rules of Civil Procedure, the Local Rules of the Eastern District of Virginia, and any Orders regarding discovery.

E. Defendant objects to interrogatories, etc., that invade or attempt to invade the attorney/client, work product, or any other applicable privilege.

**ANSWERS TO INTERROGATORIES**

1. Identify all complaints received by Gloucester County School Board (“the Board”) or its employees related to transgender students’ use of restrooms during the 2014-2015 school year, and for each complaint identify the date of the complaint, the recipient of the complaint, the content of the complaint, how the complaint was communicated or transmitted, whether the complainant was from a Gloucester High School student or parent of a Gloucester High School student, and whether the complaint related to any incident in which a student reported being in the restroom at the same time as Plaintiff.

**OBJECTION:** The School Board objects on the grounds that this Interrogatory is overly broad and unduly burdensome. Further, the School Board objects on the grounds that the use of the term “complaint” is vague and ambiguous. Finally, the School Board objects to the extent that this Interrogatory seeks the discovery of information protected pursuant to the Agreed Confidentiality Protective Order (ECF Doc. 85) entered in this matter.

**ANSWER:** Without waiving and subject to the foregoing objection,<sup>1</sup> Gloucester County High School Principal Nate Collins gave Grimm permission to use the male restroom on October 20, 2014. Two to three days later, Superintendent Dr. Walter Clemons received two complaints from parents regarding a transgender student using the restroom inconsistent with that student's biological sex. Dr. Clemons does not recall the identity of those parents. The parents indicated that they did not approve of a biologically female student using the male restroom. Additionally, a male student met with Collins in person and expressed concern about a biologically female student using the male restroom and a lack of privacy. Collins does not recall the specific identity of this student.

Moreover, after Grimm began to use the male restroom, Dr. Clemons, Collins and the individual members of the School Board received numerous complaints via email, which are listed below.

**Emails sent to all members of the School Board**

- On October 23, 2014, Kathryn Lindsay, a parent of student(s) enrolled in Gloucester County Public Schools, including Gloucester High School, sent the School board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On October 23, 2014, Stacie and Paul Martin, parents of student(s) enrolled in Gloucester County Public Schools, including Gloucester High School, sent the School Board an email regarding their opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

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<sup>1</sup> The School Board specifically reasserts its objection that Plaintiff's use of the term "complaint" in this Interrogatory is vague and ambiguous. The School Board has included in its Answer communications with individuals who generally opposed a transgender student using a restroom inconsistent with that student's biological sex. The School Board's Answer includes communications with individuals who did not agree with Gloucester High School allowing a transgender student to use a restroom inconsistent with that student's biological sex and communications with individuals who supported the School Board's December 9, 2014 resolution and the School Board's litigation of this matter.

- On October 27, 2014, Susannah Hogge sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On October 27, 2014, Jennifer Spears, a parent of student(s) enrolled in Gloucester County Public Schools, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On October 28, 2014, Season Palas, upon information and belief a parent of student(s) enrolled in Gloucester County Public Schools, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On November 10, 2014, Elisa Nelson, a parent of student(s) enrolled in Gloucester County Public Schools, including Gloucester High School, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On November 10/11, 2014, Stuart and Seth Bunting, parents of student(s) enrolled in Gloucester High School, sent the School Board an email regarding their opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On November 11, 2014, Mary Diggs, upon information and belief a resident of Gloucester County, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On November 11, 2014, David Turner sent the School Board an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On November 12, 2014, Haley Poulson, a parent of student(s) enrolled in Gloucester County Public Schools, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On November 12, 2014, Kelly Williams, a parent of student(s) enrolled in Gloucester County Public Schools, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On November 13, 2014, Melissa Alexander, a parent of student(s) enrolled in Gloucester County Public Schools, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On November 17, 2014, Kelly Cooper, a parent of student(s) enrolled in Gloucester High School, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

- On December 7, 2014, Jenny Poole, a parent of student(s) enrolled in Gloucester County Public Schools, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 8, 2014, Mike Enz, a parent of student(s) enrolled in Gloucester High School, sent the School Board an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 8, 2014, Heather Schott, a parent of student(s) enrolled in the Gloucester County Public School System, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 10, 2014, Tommie Thompson, a resident of Gloucester County, sent the School Board an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 10, 2014, Paul Martin, a parent of student(s) enrolled in Gloucester High School, sent the School Board an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 20, 2014, Chuck Thompson, a resident of Gloucester County, sent the School Board an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 20, 2014, Clayton Rogers sent the School Board an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On January 2, 2015, an individual named Jena sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On July 10, 2015, Tim Tompkins sent the School Board an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On April 21, 2016, Kathryn Lindsay, a parent of students(s) enrolled in Gloucester County Public Schools, including Gloucester High School, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On April 21, 2016, Paul Martin, parent of student(s) enrolled in Gloucester County Public Schools, including Gloucester High School, sent the School Board an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

- On May 12, 2016, Kenneth Larson sent the School Board an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

**Emails sent to Troy Anderson**

In addition to receiving emails sent to the entire School Board, Mr. Anderson received the following communications:

- On December 7, 2014, Ginger Enz, parent of student(s) enrolled in Gloucester High School, sent Mr. Anderson an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On July 27, 2015, Leland Pike, a resident of Kentucky, sent Mr. Anderson an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On July 14, 2016, Florence Alpert, a resident of New York, sent Mr. Anderson an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

**Emails sent to Randy Burak**

In addition to receiving emails sent to the entire School Board, Mr. Burak received the following communications:

- On November 12, 2014, Gina Thayer, a parent of student(s) enrolled in Gloucester High School, sent Mr. Burak an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 3, 2014, Lisa Wood, a resident of the Abingdon District, sent the School Board an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 7, 2014, Mike Enz, a parent of student(s) who attended Gloucester High School, sent the Mr. Burak an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 8, 2014, a resident of Gloucester County named Ginger emailed Mr. Burak regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

- On December 11, 2014, Sharon Kass, a resident of Washington D.C., emailed Mr. Burak regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

**Emails sent to Kimberly Hensley**

In addition to receiving emails sent to the entire School Board, Ms. Hensley received the following communications:

- On November 19, 2014, Tracey Parks Carter, a parent of student(s) at Gloucester High School, emailed Ms. Hensley regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.
- On December 13, 2014, Cliff and Brandi Blackwood, parents of student(s) enrolled in Gloucester County Public Schools, including Gloucester High School, emailed Ms. Hensley regarding their opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

**Emails sent to Carla Hook**

In addition to receiving emails sent to the entire School Board, Ms. Hook received the following communications:

- On December 7, 2014, Steven Davis, a parent of high school student(s) in the York District, sent an email to Ms. Hook regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

**Emails sent to Charles Records**

In addition to receiving emails sent to the entire School Board, Mr. Records received the following communications:

- On April 21, 2016, Jean Lassiter sent an email to Mr. Records regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

**Emails sent to Dr. Clemons**

In addition to receiving some of the emails sent to the entire Board, Dr. Clemons received the following communications:

- On October 22, 2016 Season Palas, upon information and belief a parent of student(s) enrolled in Gloucester County Public Schools, sent Dr. Clemons an email regarding her opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

- On November 7, 2016, Ralph VanNess sent Dr. Clemons an email regarding his opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

Additionally, the following School Board members received complaints via telephone, which are listed below.

**Telephone Complaints made to Carla Hook**

- Upon information and belief, before October 28, 2014, Ms. Hook spoke with Season and Andrew Palas, whose children were enrolled in Gloucester County Public Schools, regarding their opposition to a transgender student using the bathroom inconsistent with that student's biological sex.

Additionally, the issue of transgender bathroom use was discussed at public School Board meetings on November 11, 2014 and December 9, 2014. Video links to those meetings are available at: <http://www.gloucesterva.info/640/Meeting-Portal>.

The following individuals spoke regarding their opposition to a transgender student using the bathroom inconsistent with that student's biological sex during the November 11, 2014 meeting:

- Ralph Van Ness (parent of student(s) enrolled in Gloucester County Public Schools)
- Eddie Aliff
- Savannah Williams (student at Gloucester High School)
- Terry Brennan
- Joy Sampson (parent of student(s) enrolled in Gloucester County Public Schools)
- Kelly Williams (parent of student(s) enrolled in Gloucester County Public Schools)
- Marc Jenkins (parent of student(s) enrolled in Gloucester County Public Schools)



- **Drew Palas (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Kathryn Lindsay (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Brian Byrd (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Tricia Ray**
- **Kim Ward (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Melissa Wamsley (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Ray Wamsley (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Season Palas (parent of student(s) enrolled in Gloucester County Public Schools)**

**The following individuals spoke regarding their opposition to a transgender student using the bathroom inconsistent with that student's biological sex during the December 9, 2014 meeting:**

- **Ralph Van Ness (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Scott Williams (student at Gloucester High School)**
- **Savannah Williams (student at Gloucester High School)**
- **Kathryn Lindsay (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Drew Palas (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Karen Pauly**
- **Mike Enz (parent of student(s) enrolled in Gloucester County Public Schools)**
- **Katherine Foley (parent of student(s) enrolled at Gloucester High School)**
- **Howard Mowry**
- **Janet West (parent of student(s) enrolled at Gloucester High School)**
- **Linda Walk**
- **Don Mitchell**

- **Terry Brennan**
- **Marista Cooper (grandparent of student(s) enrolled in Gloucester County Public Schools)**
- **Kelly Williams**

**The School Board also incorporates by reference any additional “complaints” not described herein that are contained in the documents the School Board has produced in response to Plaintiff’s First Request for Production of Documents.**

**SUPPLEMENTAL ANSWER:**

**In its Answers to Plaintiff’s First Interrogatories, the School Board provided a list of email communications between board members and various individuals regarding the use of restrooms by transgender students. Further, the School Board provided the emails identified in those Answers in response to Plaintiff’s First Requests for Production of Documents. The emails speak for themselves, and each School Board member’s knowledge of any “complaint” sent by email relating to the use of restrooms by transgender students is consistent with the contents of those emails.**

**Further, in addition to the information provided in the School Board’s Answers to Plaintiff’s First Interrogatories, the following School Board members recall receiving non-email communications from individuals concerning the use of school restrooms by transgender students:**

- **Carla Hook received approximately five (5) telephone calls from parents of students enrolled in Gloucester County Public Schools who said their children were uncomfortable with a girl using the boys’ restroom. Ms. Hook does not recall the names of either the parents with whom she spoke or their children. To Ms. Hook’s knowledge, the children had no direct interaction with Grimm in the boys’ restroom.**
- **Kevin Smith received dozens of communications before the December 9, 2014, School Board meeting regarding a transgender student using the restroom**

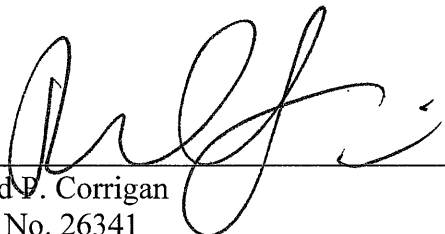
inconsistent with that student's biological sex. To Mr. Smith's best recollection, approximately seventy-five (75) percent of those communications came from parents of students enrolled in Gloucester County Public Schools. Mr. Smith does not recall the names of either the individuals with whom he spoke or their children. The individuals indicated that they were not in favor of a transgender student using the restroom inconsistent with that student's biological sex. Additionally, parents indicated that they did not want their children using the same bathroom as a member of the opposite sex. To Mr. Smith's knowledge, the children had no direct interaction with Grimm in the boys' restroom.

- Troy Andersen received approximately five (5) telephone calls from parents of students at Gloucester County Public Schools regarding a transgender student using the restroom inconsistent with that student's biological sex. Mr. Andersen does not recall the names of either the parents or their children. The parents did not want their children using the same bathroom as a member of the opposite sex, and they were concerned about the privacy and safety of students, including their children. Mr. Andersen believes that he followed any telephone conversation on this issue with an email to the parent, and that the telephone conversations were substantively similar to the email exchanges. To the best of Mr. Andersen's knowledge, the children had no direct interaction with Grimm in the boys' restroom.
- Randy Burak received two telephone calls on October 20, 2014, from parents of students at Gloucester County Public Schools regarding a transgender student using the restroom inconsistent with that student's biological sex. One telephone call came from "Mr. Wood," a parent of two boys enrolled in Gloucester County Public Schools. Mr. Burak does not recall the first name of Mr. Wood. Mr. Wood indicated that he and his children were not in favor of a girl using the same restroom as boys. The other telephone call came from a parent, whose name Mr. Burak cannot recall, who likewise did not approve of a transgender student using the restroom inconsistent with that student's biological sex. This parent expressed concern that young male students would be uncomfortable with a student who was biologically female using the male restroom. Mr. Burak does not know whether or not the children of the two parents had any direct interaction with Grimm in the boys' restroom.

**This Answer will be supplemented further as additional information is received.**

**GLOUCESTER COUNTY SCHOOL  
BOARD**

By \_\_\_\_\_



\_\_\_\_\_  
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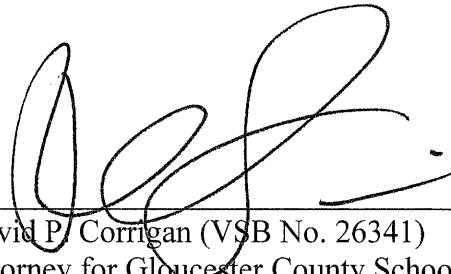
**CERTIFICATE**

I hereby certify that on the 11th day of January, 2019, I mailed and emailed the document to the following:

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A handwritten signature in black ink, appearing to read 'D. Corrigan', is written over a horizontal line.

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